IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 7TH DECEMBER 2007 / 16TH AGRAHAYANA 1929

WP(C).No. 27826 of 2004(K)

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PETITIONER:

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M.RAMACHANDRAN, S/O.GOVINDAN NAIR,
MATTAYI HOUSE, TIRUR, MALAPPURAM DISTRICT.

BY ADV. SRI.T.KRISHNAN UNNI

RESPONDENTS:

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1. STATE OF KERALA, REP. BY THE SECRETARY,
DEPARTMENT OF TAXES, THIRUVANANTHAPURAM.

2. THE ACCOUNTS OFFICER, O/O.THE ACCOUNTANT
GENERAL (A&E)JAWAHAR NAGAR, KOZHIKODE.

3. THE INSPECTING ASSISTANT COMMISSIONER,
COMMERCIAL TAXES DEPARTMENT, AMNJERI,
MALAPPURAM DISTRICT.

4. THE REGIONAL TRANPORT OFFICER,
TIRUR.

5. THE SUB TREASURY OFFICER, TIRUR.

6. THE SALES TAX OFFICER, PONNANI.

BY GOVERNMENT PLEADER SMT.K.R.DEEPA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A P P E N D I X

PETITIONER'S EXHIBITS :

EXT.P1 : TRUE COPY OF THE CHALAN RECEIPT DT. 15.2.2002.

EXT.P2 : TRUE COPY OF THE CERTIFICATE OF REMITTANCE ISSUED BY THE SUB TREASURY OFFICER, TIRUR DT. 4.3.2003.

EXT.P3 : TRUE COPY OF THE COMMUNICATION ISSUED BY REGIONAL TRANSPORT OFFICER, TIRUR TO TRANSPORT COMMISIONER, THIRUVANANTHAPURAM DT. 19.3.2003.

EXT.P4 : TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE THE REGIONAL TRANSPORT OFFICER, TIRUR DT. 21.3.2003.

EXT.P5 : TRUE COPY OF THE REPRESENTATION OF THE SUB TREASURY OFFICER TO THE DISTRICT TREASURY OFFICER TO THE DIST. TREASURY OFFICER DT. 10.4.2003.

EXT./P6 TRUE COPY OF THE REPRESENTATION OF THE PETITIONER TO THE SALES TAX OFFICER, PONNANI DT. 19.4.2003.

EXT.P7 TRUE COPY OF THE NOTICE ISSUED BY THE SALES TAX OFFICER DT. 26.4.2003.

EXT.P8 TRUE COPY OF THE REPRESENTATION BY THE PETITIONER TO THE INSPECTING ASSISTANT COMMISSIONER DT. 12.5.2003.

EXT.P9 TRUE COPY OF THE COMMUNICATION FROM INSPECTING ASSISTANT TO THE ACCOUNTANT GENERAL'S OFFICE DT. 20.4.2004.

EXT.P10 TRUE COPY OF THE COMMUNICATION ISSUED FROM THE ACCOUNTANT GENERAL'S OFFICE DT. 19.7.2004.

**KURIAN JOSEPH J.**

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**Writ Petition (Civil) No.27826 of 2004**

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**Dated 7th December, 2007.**

**J U D G M E N T**

Petitioner approached this court praying for a direction to the respondents to take action for the alteration in the accounts regarding credit of the amount paid by the petitioner. Learned Government Pleader on instruction submits that necessary action has already been taken. Learned counsel for the petitioner submits that the amounts may be directed to be credited with due interest. Learned Government Pleader submits that the Bank is also involved in the issue and it is due to the fault of the Bank, the mistake occurred. Therefore, it is for the petitioner to pursue the matter in appropriate proceedings, impleading the Bank, in which case, the time taken by the petitioner for prosecuting this writ petition shall stand excluded while computing the period of limitation.

The writ petition is disposed of as above.

**KURIAN JOSEPH, JUDGE.**

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